

REMARKS

Claims 1-15, 20, and 23-29 remain in the application. Claims 25-29 have been amended to correct formal matters. Claims 16-19 and 21-22 have been previously canceled. No claims have been added.

FORMAL CHANGES/AMENDMENT

Applicant respectfully requests that the Examiner acknowledge Applicant's claim for foreign priority and enter formal changes (preamble amendments) in dependent claims 25-29 per MPEP §714.16 and CFR §1.312.

Priority Claim

The Applicant cross referenced a Canadian patent application number 2327001, filed in Canada on November 27, 2000, in the specification filed on November 27, 2001. Furthermore, a Declaration and Power of Attorney executed on January 22, 2002 indicates the Canadian patent application number 2327001. A certified copy of the Canadian patent application number 2327001 was submitted along with a claim for foreign priority on October 3, 2003. A Notice of Allowability was mailed on September 13, 2004. The Notice of Allowability does not acknowledge the Applicant's claim for foreign priority. However, we received a "Priority Acknowledgement" mailed on November 1, 2004 acknowledging the priority claim. Therefore, Applicant respectfully requests verification that no further action is required for this foreign priority claim.

Preamble Amendments

The preamble of claim 24 specifies a "computer readable medium", which the preambles of claims 25-29, which depend on claim 24, mistakenly specify as a "method." Applicant respectfully requests the amendment be entered.

Reasons for Entry

Applicant respectfully submits that the acknowledgement/changes do not touch on the merits, do not change the scope of the claims (it is assumed that the dependent claim preambles are understood to be erroneous and were properly considered to read computer readable medium), are needed for proper protection of the invention, and do not require a substantial amount of additional work on the part of the Office. Furthermore, this Response is being submitted along with payment of the issue fee, and being submitted after the Notice of Allowance mailed September 13, 2004. Therefore, Applicant respectfully requests that the Examiner acknowledge Applicant's claim for foreign priority and enter the preamble amendments.

EXAMINER'S AMENDMENT

Applicant respectfully thanks the Examiner for allowing claims 1-15, 20, and 23-29 if amended per the Examiner's suggestions during a telephone interview on September 1, 2004. In addition, Applicant respectfully thanks the Examiner for proposing an Examiner's Amendment on September 2, 2004. Applicant agrees with the Examiner that the amended claims, specification, and drawings are in accordance with the emails between the Examiner and the Applicant later concluding on September 3, 2004. However, Applicant would like to point out that there was an error in Applicant's emailed document that was attached to the Examiner's Amendment. Specifically, although claims 25-29 were new claims, Applicant labeled claim 25 (New) but claims 26-29 as (Original). Applicant believes that the Examiner recognized this error (claims 26-29 could not be original if claim 25 is new), and that it does not affect allowability of this application, but Applicant wanted to clarify that on the record.

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

(under 37 CFR 1.104/MPEP 1302.14)

Applicant respectfully submits that the Examiner's reasons for allowance do not apply to all of the allowed claims, at least because while "means for" language appears in allowed claims 20 and 23, allowed claims 1-15 and 24-29 are not subject to 35 USC §112, ¶ 6. It is understood that claims 1-15 and 24-29 are allowable for reasons the Examiner did not take the time to articulate. Applicant notes that the Examiner's comments should not be used to read non-existent limitations into the claims.

CONCLUSION

The claims have been amended to correct formal matters per §1.312. Please charge any shortages and credit any overages to Deposit Account No. 02-2666.

Respectfully submitted,

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Dated: _____

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